

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

SUSAN SCHAEFER-LaROSE, on behalf
of herself and others similarly situated,

Plaintiffs,

V.

ELI LILLY & COMPANY,

Defendant.

Cause No. 1:07-CV-01133-SEB-TAB

DECLARATION OF NICKOLAS D. MASHEK

Nicholas D. Mashack declares, under penalty of perjury, the following:

1. I have personal knowledge of the matters set forth herein, and would and could testify thereto if called as a witness herein.
2. I was formerly employed by Eli Lilly and Company as a sales representative for over five years, between August 2001 and November 2006.
3. During my employment with Lilly, I received training at Lilly's headquarters in Indianapolis, Indiana. To my knowledge, the building at Lilly's headquarters in which I and other sales representatives received training was known as Lilly's sales training facility and is called Building 145.

I declare under penalty of perjury, under the laws of the United States of America and under the laws of the State of South Dakota, that the foregoing is true and correct.

Executed this 8th day of July, 2009, at Sioux Falls, South Dakota.

Nickolas D. Mashek
Nickolas D. Mashek